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Attorneys for Plaintiff
MARGUERITE MAZZITTI

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

MARGUERITE MAZZITTI,

Plaintiff,

vs.

MARCH OF DIMES FOUNDATION; and
DOES 1 through 10,

Defendants.

Case No. 3:16-cv-03781-JST

**STIPULATION AND ~~PROPOSED~~
ORDER RE: DISMISSAL OF ENTIRE
ACTION WITH PREJUDICE**

Action Filed: May 24, 2016

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Marguerite Mazzitti (“Plaintiff”) and Defendant March of Dimes Foundation (“MOD”) (collectively “the Parties”), by and through their respective counsel of record, stipulate and request that the entire above-captioned action be dismissed with prejudice, with each side to bear its own costs and fees. The Parties further stipulate and request that Judge Jon S. Tigar of the United States District Court for the Northern District of California or his successor retain jurisdiction to enforce the provisions of the Settlement Agreement and General Release (“Agreement”) and over any matters or actions brought to enforce the Agreement.

DATED: October 4, 2017

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

By: /s/ Zachary W. Shine
DANIELLE OCHS
ZACHARY W. SHINE

Attorneys for Defendant
MARCH OF DIMES FOUNDATION

DATED: October 4, 2107

MINNIS & SMALLETS

By: /s/ Sonya L. Smallets
SONYA SMALLETS

Attorneys for Plaintiff
MARGUERITE MAZZITTI

SIGNATURE ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from the other signatories.

DATED: October 4, 2017

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

By: /s/ Zachary W. Shine
DANIELLE OCHS
ZACHARY W. SHINE

Attorneys for Defendant
MARCH OF DIMES FOUNDATION

1 **ORDER OF THE COURT**

2 Pursuant to the Stipulation And [Proposed] Order by and between Plaintiff Marguerite
3 Mazzitti and Defendant March of Dimes Foundation, and good cause appearing to the Court:

4 IT IS HEREBY ORDERED that the matter is dismissed with prejudice in its entirety, in
5 accordance with the terms of the Stipulation. Each party shall bear its own fees and costs. This
6 Court shall retain jurisdiction to enforce the provisions of the Settlement Agreement and General
7 Release ("Agreement") and ~~Stipulation~~ over any matters or actions brought to enforce the Agreement.
8 *Marguerite Mazzitti v. March of Dimes Foundation*, Case No. 3:16-cv-03781-JST, is hereby
9 dismissed.

10 **IT SO ORDERED.**

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12 DATED: October 4, 2017

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14 HONORABLE JON SOTIGAR
15 United States District Court Judge
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